IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

WP(C).No. 2653 of 2004(N)

PETITIONERS:
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1. **K. KUNHIRAMAN, TEACHER,**
   KAMALIYA MADARASA A.U.P. SCHOOL,
   IRIKKUR, KANNUR DISTRICT.

2. **R.K. RAGHAVAN, TEACHER,**
   KAMALIYA MADARASA A.U.P. SCHOOL,
   IRIKKU, KANNUR DISTRICT.

BY ADV. SRI. M. SASINDRAN
SRI. M.B. PRAJITH

RESPONDENTS:
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1. **THE ASSISTANT EDUCATIONAL OFFICER**
   IRIKKUR.

2. **THE DEPUTY DIRECTOR OF EDUCATION,**
   KANNUR.

3. **STATE OF KERALA REPRESENTED BY**
   SECRETARY TO GOVERNMENT, DEPARTMENT OF GENERAL EDUCATION, GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

4. **THE HEAD MISTRESS, KAMALIA MADRASSA**
   A.U.P. SCHOOL, IRIKKUR, KANNUR DISTRICT.

BY GOVERNMENT PLEADER SMT. K.R. DEEPA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 2653 of 2004(N)

A P P E N D I X

PETITIONER'S EXHIBITS:

EXT. P1	**:**	**COPY OF THE CERTIFICATE ISSUED BY THE EXECUTIVE ENGINEER, BUILDING DIVISION, THALASSERY.**
EXT. P2	**:**	**COPY OF THE ORDER ISSUED BY THE PRINCIPAL SECRETARY, FINANCE DEPARTMENT TO THE SUB TREASURY OFFICER, MATTANNOR.**
EXT. P3	**:**	**COPY OF THE CIRCULAR DATED 8.5.01 ISSUED BY THE GOVERNMENT.**
EXT. P4	**:**	**COPY OF THE ORDER ISSUED BY THE 1ST RESPONDENT DATED 9.12.2003.**

// True Copy //

P.A to Judge.

smp

KURIAN JOSEPH, J.

W.P.(C) NO. 2653 OF 2004

Dated this the 30th day of November, 2007.

J U D G M E N T

Petitioners are aggrieved by Exhibit P4 issued by the first respondent directing them to refund the HRA already paid to them. It is submitted by the petitioners that they are entitled to have the HRA already paid to them, in view of Exhibit P3. Petitioners may submit their reply to Exhibit P4 treating it only as notice within a period of one month from today, in which case, the matter will be duly considered by the first respondent with notice to the petitioners within a period of another four months. Interim order passed by this Court will continue till such time.

KURIAN JOSEPH, JUDGE.

smp